

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 415) TO AMEND THE
WILD AND SCENIC RIVERS ACT TO DESIGNATE SEGMENTS OF THE
TAUNTON RIVER IN THE COMMONWEALTH OF MASSACHUSETTS AS A
COMPONENT OF THE NATIONAL WILD AND SCENIC RIVERS SYSTEM

JULY 14, 2008.—Referred to the House Calendar and ordered to be printed

Mr. MCGOVERN, from the Committee on Rules,
submitted the following

R E P O R T

[To accompany H. Res. 1339]

The Committee on Rules, having had under consideration House Resolution 1339, by a nonrecord vote, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 415, to amend the Wild and Scenic Rivers Act to designate segments of the Taunton River in the Commonwealth of Massachusetts as a component of the National Wild and Scenic Rivers System, under a structured rule. The rule provides one hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Natural Resources. The rule waives all points of order against consideration of the bill except clauses 9 and 10 of rule XXI. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read. The rule waives all points of order against the amendment in the nature of a substitute except for clause 10 of rule XXI. This waiver does not affect the point of order available under clause 9 of rule XXI (regarding earmark disclosure).

The rule makes in order only those amendments printed in this report. The amendments made in order may be offered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. All

points of order against the amendments except for clauses 9 and 10 of rule XXI are waived. The rule provides one motion to recommit with or without instructions.

The rule provides that, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker.

The rule takes from the Speaker's table S. 2062 (the Native American Housing Assistance and Self-Determination Reauthorization Act of 2007), adopts an amendment in the nature of a substitute consisting of the text of H.R. 2786 as passed by the House, passes S. 2062 as amended, and provides that the House insists on its amendment and requests a conference with the Senate.

EXPLANATION OF WAIVERS

Although the rule waives all points of order against consideration of the bill (except for clauses 9 and 10 of rule XXI) the Committee is not aware of any points of order. The waiver of all points of order is prophylactic. The waiver of all points of order (except clause 10 of rule XXI) against the amendment in the nature of a substitute includes a waiver of clause 7 of rule XVI regarding germaneness.

COMMITTEE VOTES

Rules Committee record vote No. 556

Date: July 14, 2008.

Measure: H.R. 415.

Motion by: Mr. Dreier.

Summary of motion: To make in order and provide appropriate waivers for an amendment by Rep. Blunt (MO), #14, which would require the EPA to remove a boutique fuel from the list published pursuant to EPAct 2005 if that fuel ceases to be included in any State Implementation Plan or if the fuel is functionally identical to a Federal fuel control promulgated and implemented by EPA, and would provide EPA with additional waiver authority related to unexpected problems with certain distribution or delivery equipment.

Results: Defeated 2–7.

Vote by Members: McGovern—Nay; Hastings (FL)—Nay; Matsui—Nay; Castor—Nay; Arcuri—Nay; Sutton—Nay; Dreier—Yea; Hastings (WA)—Yea; Slaughter—Nay.

Rules Committee record vote No. 557

Date: July 14, 2008.

Measure: H.R. 415.

Motion by: Mr. Hastings (WA).

Summary of motion: To make in order and provide appropriate waivers for two amendments, each separately debatable, (1) an amendment by Rep. Myrick (NC), #15, which would add to the bill the text of H.R. 6108, the Deep Ocean Energy Resources Act, and (2) an amendment by Rep. Young (AK), #10, which would add to the bill the text of H.R. 6107, the American Energy Independence and Price Reduction Act.

Results: Defeated 2–6.

Vote by Members: McGovern—Nay; Hastings (FL)—Nay; Matsui—Nay; Castor—Nay; Sutton—Nay; Dreier—Yea; Hastings (WA)—Yea; Slaughter—Nay.

Rules Committee record vote No. 558

Date: July 14, 2008.

Measure: H.R. 415.

Motion by: Mr. Hastings (WA).

Summary of motion: To make in order and provide appropriate waivers for an amendment by Rep. Thornberry (TX), #11, which would create a competitive leasing program in parts of Alaska, remove the congressional moratoria on drilling in the outer continental shelf, require the IRS to implement certain refinery provisions from EPCA 2005, allow tax exempt bonds to be used for refinery construction, and make use of Federal lands for new refineries and would also disallow the Nuclear Regulatory Commission from denying an application for a license, permit, or other authorization under the Atomic Energy Act of 1954 on the grounds that sufficient capacity does not exist, provide a tax credit to companies for the cost they endure for paying a mechanical engineer to become Nuclear Stamp Certified, and offer a tax credit for CO₂ captured for use in marginal wells for enhanced oil recovery.

Results: Defeated 2–7.

Vote by Members: McGovern—Nay; Hastings (FL)—Nay; Matsui—Nay; Castor—Nay; Arcuri—Nay; Sutton—Nay; Dreier—Yea; Hastings (WA)—Yea; Slaughter—Nay.

Rules Committee record vote No. 559

Date: July 14, 2008.

Measure: H.R. 415.

Motion by: Mr. Hastings (WA).

Summary of motion: To make in order and provide appropriate waivers for an amendment by Rep. Roskam (IL), #12, which would authorize the Secretary of Energy to enter into loan and profit-sharing agreements for qualifying coal-to-liquid projects, including a commercial-scale project that converts coal or a petroleum refinery waste product to a liquid or gaseous transportation fuel.

Results: Defeated 2–7.

Vote by Members: McGovern—Nay; Hastings (FL)—Nay; Matsui—Nay; Castor—Nay; Arcuri—Nay; Sutton—Nay; Dreier—Yea; Hastings (WA)—Yea; Slaughter—Nay.

SUMMARY OF AMENDMENTS MADE IN ORDER

(Summaries derived from information provided by sponsors.)

1. Bishop, Rob (UT): Would remove from the bill the designation as a recreational river of a 9-mile segment of the Taunton River from Muddy Cove to the confluence with the Quequechan River at the Route 195 Bridge in Fall River. (10 minutes)

2. Shuler (NC): Would amend the bill to state that nothing in this Act shall be construed as affecting the authority, jurisdiction, or responsibility of the Commonwealth of Massachusetts to manage, control, or regulate fish and resident wildlife under State law or regulations, including the regulation of hunting, fishing, trapping, and recreational shooting, and that nothing in the Act shall be construed as limiting access for hunting, fishing, trapping, or recreational shooting. (10 minutes)

3. Pearce (NM): Would require the Secretary of the Interior to report to Congress on the energy resources available on the lands

and waters included in the segments of the Taunton River designated by the bill. (10 minutes)

4. Boyda (KS): Would require that nothing in the bill impact the supply of domestically-produced energy resources. (10 minutes)

TEXT OF AMENDMENTS MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BISHOP OF UTAH, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 2, line 24, insert a close quotation mark and period after “river.”.

Page 3, strike lines 1 through 4.

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SHULER OF NORTH CAROLINA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of the bill, add the following:

SEC. 3. HUNTING, FISHING, TRAPPING, AND RECREATIONAL SHOOTING.

Nothing in this Act shall be construed as affecting the authority, jurisdiction, or responsibility of the Commonwealth of Massachusetts to manage, control, or regulate fish and resident wildlife under State law or regulations, including the regulation of hunting, fishing, trapping, and recreational shooting. Nothing in this Act shall be construed as limiting access for hunting, fishing, trapping, or recreational shooting.

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PEARCE OF NEW MEXICO, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of the bill, add the following:

SEC. 3. ENERGY AND CONGRESSIONAL REVIEW.

The Secretary of the Interior, in consultation with the Secretary of Energy and private industry, shall complete and submit to the Committee on Natural Resources of the House of Representatives, the Committee on Natural Resources of the House of Representatives, the Committee on Energy and Natural Resources of the Senate, and Senators and Representatives from the States affected by the designation, a report using the best available data and regarding the energy resources available on the lands and waters included in the segments of the Taunton River designated under section 2 of this Act. The report shall—

(1) contain the best available description of the energy resources available on the land and report on the specific amount of energy withdrawn from possible development; and

(2) identify cubic feet of natural gas, natural gas transmission and storage potential, megawatts of geothermal, wind and solar energy that could be commercially produced, annual available biomass for energy production, and any megawatts of hydropower resources available, including tidal, traditional dams, and in-stream flow turbines.

4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BOYDA OF
KANSAS, OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of the bill, add the following:

SEC. 3. DOMESTICALLY-PRODUCED ENERGY RESOURCES.

Nothing in this Act shall impact the supply of domestically-produced energy resources.

